

ATTACHMENT D

MONTGOMERY COUNTY FAIR HOUSING PLAN IMPEDIMENT ANALYSIS PROGRESS REPORT 2006

Impediment #1: Lack of Current Information about Housing Discrimination.

- I. Testing Goal: To determine extent and types of housing discrimination in the county in order to identify areas needing education and enforcement

Activity	Status
A. Conduct random audit of rental housing providers over a 6 month period to test for discrimination based on race, national origin, disability, familial status, and compliance with FH construction accessibility requirements	Completed 1/10/98 Ongoing ¹
B. Analyze results, plan and implement strategies to address findings	In Progress

- II. Data Collection Goal: To seek compliance with data collection requirements

Activity	Status
A. Coordinate with DHCA on collection of data under the Real Estate Reporting Requirement	Report provided to IFHCG by DHCA in December 1997. Report provided to IFHCG by DHCA in December 1998 and in each ensuing year. The data is presented in a yearly Rental Housing Survey.
B. Analyze results, plan and implement strategies to address findings	In Progress
C. Publicize data as part of annual rental housing vacancy survey	Rental Housing Survey completed in Dec. of 2005.

- III. Education and Outreach Goal: To educate the general public about and promote fair housing

Activity	Status
A. Conduct seminars in six geographically dispersed County locations addressing fair housing issues and responsibility and rights of residents	Completed March 1998 Additional Outreach (see attached)
B. Conduct sessions in the community to stress the importance of maintaining and investing in the value of property, the basic processes of home sales/purchase, the lending and appraisal process, and how to recognize discriminatory practices	In Progress Additional Outreach Re: Predatory Lending (See

¹ The Montgomery County Office of Human Rights has an in-house testing program. The OHR conducts matched pair tests in the rental housing market throughout the year. Evidence of discrimination results in further action. For example: The tests may be sent to the compliance section of the OHR for further action or to the Office of the County Attorney for litigation review.

	attached)
C. Prepare and promote Fair Housing in three languages in print ads and public service announcements	In Progress
D. Promote public/private partnerships and collaborate to further fair housing based on best practices and local considerations	In Progress
E. Coordinate with MCPS on the development of and inclusion in a new 10th grade curriculum, information, scenarios, and exercises in fair housing laws and responsibilities	Phase 1 - Completed May 1998 Phase 2 Completed

IV. Legislation (Goal: to put more teeth in existing laws as more effective deterrents)

Activity	Status
A. Propose legislation to increase monetary awards to the level permitted by state	Increased Civil Penalties increased by the Council 12/97 Increase in Damages passed by Council: currently in litigation
B. Revise composition of Interagency Fair Housing Group and extend terms to three years	Initial revision completed Recommendations made for additional members Addition of MNCPPC member 2006 Term of office not addressed

Impediment #2. Communities are underserved by Lending Institutions

- I. Lending Practices Goal: To determine the extent of discriminatory practices, including disparate treatment of loan applications, higher rejection rates, higher fees, and lack of bank branches.

Activity	Status
A. Using Home Mortgage Disclosure Act Data (HMDA), analyze lending practices of 10 largest banks in the County, as relates to mortgage lending and refinancing, underwriting, pre-screening, higher fees, steering, redlining, appraisals, credit checks, marketing, and other practices which could be questionable.	Completed April 1998 Additional legislation passed by Council 2006: Currently in litigation
B. Conduct a targeted local testing program in areas in which HMDA data indicates a problem. Publicize test results and promote and coordinate education and collaboration as being a business interest.	On Going

II. Legislation Goal: To regulate the appraisal system

Activity	Status
A. Research and propose as appropriate, and at the appropriate level, legislation to regulate appraisers, and lower the dollar threshold for appraiser certification	No Activity

Impediment #3. Lack of Performance Monitoring of County Financial Institution

Goal: To monitor the contract provision that county shall only bank with institutions that maintain a rating of satisfactory or better under the Federal Community Reinvestment Act

Activity	Status
A. Obtain and evaluate Local Community Reinvestment Act (CRA) performance of the major financial institutions receiving county funds	Completed
B. Begin monitoring loans and community activities of the First National Bank of Maryland, the major recipient of county, HOC and MCPS funds	No Longer Pertinent; New Contract Issued
C. Identify community needs and involvement of financial institutions in addressing them	In Progress
D. Link deposits of county government/HOC/MCPS joint funds to acceptable performance under CRA	In Progress

Impediment #4: Lack of County Guidance on Occupancy Standards

Goal: To remove requirements in conflict with federal law

Activity	Status
A. Initiate study of variance in and impact of different occupancy standards on protected classes, especially families with children	No Longer an issue; HUD issued guidelines in Federal Register
B. Determine whether a voluntary or mandatory occupancy standard is in the best interest of fair housing	Under Study
C. Provide written guidance with regards to the number of occupants in a dwelling unit, particularly in rental housing	Under Study

Impediment #5: Disparate Treatment of Group Homes

Goal: To remove requirements in conflict with federal law

Activity	Status
A. Continue non-enforcement of county ordinance relating to group facilities that are in conflict with the Fair Housing Act until county law is changed	Completed
B. Bring local law into compliance with federal fair housing	Completed

law for group residential facilities for persons with disabilities	
C. Pass Zoning Text Amendment 95017 to eliminate current impediments to sitting group homes.	Completed

Impediment #6: Siting of Affordable Housing

Goal: To eliminate opposition to siting of affordable housing related to biases against minorities, low-income people, and recent immigrants

Activity	Status
A. Work with non-profits and communities to combat NIMBYism through efforts to educate and inform communities about past experiences	On Going
B. Review zoning laws, and fees to ensure that density and costs are not unfairly limiting housing opportunities	On Going
C. Conduct study of actual effects of affordable housing in different types of neighborhoods over the past 30 years on property values, resale value of market rate housing, traffic and other commonly cited concerns by opponents	Draft Under Review
D. Use results to ameliorate any negative effects identified, or to disprove bases of prevailing objections.	Awaiting Results of Review

Impediment #7: Inadequate Outreach to minority Community

Goal: To address the perception if not reality of inadequate county outreach efforts

Activity	Status
A. Engage county departments and agencies in outreach to ensure that fair housing issues are included as part of mandated mission and evaluation of relevant agencies	On Going
B. See Section on Education and Outreach	
C. Make regular use of non-English and minority press for announcements, informational articles, and discussion	On Going

Impediment #8: Efforts to Affirmatively Further Fair Housing

Goal: To assure fair and targeted distribution of funds for addressing housing discrimination, promote need for standardization and/or certification, provide training for all stakeholders

Activity	Status
A. Review current legal impediments, e.g. unusually low cap on awards in discrimination cases, need for confidentiality	In Progress
B. Review training given appraisers, investigate need for licensing or certification, evaluate current fair housing training programs and determine need for improvement	No Action
C. Develop and implement strategies related to the enforcement of fair housing laws, including emerging issues, continuous updating of knowledge of laws, regional approaches to promotion of fair housing, and cooperation	On Going

with local agencies	
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Impediment #9: Lack of Affordable Housing

Goal: To assure that county laws and practices promote affordable housing in all areas of planned development

Activity	Status
A. Review and amend area master plans as needed to remove barriers to affordable housing	Shady Grove Master Plan adopted: included consideration of Affordable Housing and "Workforce Housing"
B. Work with non-profits, associations and communities to combat NIMBYism through efforts to educate and inform communities about past experiences	On Going

Community Outreach Efforts

- Predatory Lending Event: May 2005
- Lincoln Park Day: (Originally scheduled for July, new date pending)
- Property Manager Training: July 2005 (Joint HHS/OHR Program)
- Montgomery County Housing Fair: October 2005
- NAACP Meeting: Predatory Lending: November 2005)
- Fair Housing "Conversation": October 2005
- Office of Human Rights Camp: October 2005, March 2006
- Diversity Day: October 2005
- Co-Sponsor Maryland Realtor's Fair Housing Calendar
- Testify: Community Development Advisory Committee: October 2005
- Fair Housing Training for HHS Contract Housing Providers: November 2005

- Panelist: Commission on People with Disabilities Program: December 2005
- Joint Meeting with IFHCG and MNCPPC: January 2006
- Panelist, African American Association of Financial Planners, Preventing Predatory Lending: March 2006
- Forum for Property Managers/Real Estate Professionals: April 2006
- Fair Housing Book Forum, Fifth Grade Students Whetstone Elementary School: April 2006
- Testify: Housing Opportunities Commission, Proposed Development: June 2006